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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

IRVING MAGALLAN ALVARADO,

Defendant.

Case No. 2:24-mj-00059-BNW

**COMPLAINT** for violation of:

Operating a Motor Vehicle while  
Under the Influence of Alcohol  
36 C.F.R. § 4.23(a)(1);

Operating a Motor Vehicle with a  
BAC of 0.08 Grams and Higher  
36 C.F.R. § 4.23(a)(2);

Interfering with Agency Functions –  
36 C.F.R. § 2.32 (a)(1)

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned  
complainant, being first duly sworn, states that:

**COUNT ONE**

Operating a Motor Vehicle while Under the Influence of Alcohol  
(36 C.F.R. § 4.23(a)(1))

On or about March 1, 2023, in the State and Federal District of Nevada, within the  
boundaries of the Lake Mead National Recreation Area,

**IRVING MAGALLAN ALVARADO,**

defendant herein, operated a red 2004 Ford F150 bearing Nevada registration 565U32,  
under the influence of alcohol and drugs to a degree that rendered the defendant incapable

1 of safe operation, to wit: **MAGALLAN ALVARADO** drove past a group of marked patrol  
2 vehicles that were stopped on the paved parking lot in the Government Wash area and then  
3 accelerated, squealed the tires, drove towards the restroom in the Government Wash  
4 parking lot, and came to a stop; later Rangers observed **MAGALLAN ALVARADO's**  
5 vehicle accelerate at what appeared to be a high rate of speed along the Government Wash  
6 Access Road towards Northshore Road; **MAGALLAN ALVARADO's** eyes were  
7 bloodshot and glassy; there was an odor of an alcoholic beverage emanating from within  
8 the vehicle; Rangers observed in plain view an opened case of Natural Light beer cans  
9 between the front passenger's legs; when asked, **MAGALLAN ALVARADO** admitted  
10 consuming two beers, two hours ago; Rangers later found five open containers of Natural  
11 Light 12 oz. beer in the rear passenger compartment of the vehicle; **MAGALLAN**  
12 **ALVARADO** refused to follow the rangers instructions at times during the contact and  
13 refused to perform any Standardized Field Sobriety Tests; an electronic search warrant for  
14 a sample of **MAGALLAN ALVARADO's** blood was obtained; the sample was analyzed  
15 and found to contain a concentration of ethanol of 0.218 g/ 100 mL +/- 0.008 g/ 100 mL  
16 of blood; all in violation of Title 36, Code of Federal Regulations, Section 4.23(a)(1).

17 **COUNT TWO**

18 Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher  
(36 C.F.R. § 4.23(a)(2))

19 That on or about March 1, 2023, in the State and Federal District of Nevada, within  
20 the boundaries of the Lake Mead National Recreation Area,

21 **IRVING MAGALLAN ALVARADO,**

22 defendant herein, operated a red 2004 Ford F150 bearing Nevada registration 565U32, with  
23 an alcohol concentration in the defendant's blood of 0.08 grams and more of alcohol per  
24 100 milliliters of blood, to wit: an electronic search warrant for a blood sample of

1 **MAGALLAN ALVARADO's** blood was obtained; the sample was analyzed and found to  
2 contain a concentration of ethanol of 0.218 g/ 100 mL +/- 0.008 g/ 100 mL of blood; all in  
3 violation of Title 36, Code of Federal Regulations, Section 4.23(a)(2).

4 COUNT THREE  
5 Interfering with Agency Functions  
6 (36 C.F.R. § 2.32 (a)(1))

7 That on or about March 1, 2023, in the State and Federal District of Nevada, within  
8 the boundaries of the Lake Mead National Recreation Area,

9 **IRVING MAGALLAN ALVARADO,**  
10 defendant herein, was threatening, resisting, intimidating or intentionally interfering with a  
11 government employee or agent engaged in an official duty or on account of the  
12 performance of an official duty, to wit: **MAGALLAN ALVARADO** was argumentative  
13 with Rangers and would not follow instructions during the contact; upon arrival at the  
14 Henderson Detention Center, **MAGALLAN ALVARADO** began hitting the cage  
15 partition within the patrol car with his shoulder requiring approximately seven staff  
16 members from the detention center to assist the Ranger with moving him into the facility;  
17 all in violation of Title 36, Code of Federal Regulations, Section 2.32(a)(1).

18 PROBABLE CAUSE AFFIDAVIT

19 Your Complainant, Christopher J. Raynolds, as a Park Ranger with the National  
20 Park Services, states the following as and for probable cause:

21 1. Your Complainant has been employed as a law enforcement officer with the  
22 National Park Service in the Lake Mead National Recreation Area, Clark County, Nevada,  
23 for over 20 years.

24 2. As part of your Complaint's duties, your Complainant investigates criminal  
violations of law on federal land. Through my employment as a Ranger with the National

1 Park Service, your Complainant has received specialized training in the enforcement of  
2 federal laws. Your Affiant's training and experience have involved, among other things, the  
3 evaluation of roadside impairment, performing DUI investigations, and the administration  
4 of Field Sobriety Tests.

5 3. The following information used to support this Complaint was derived from  
6 reports of information obtained from investigations conducted by law enforcement related  
7 to the incident or complainant's own personal investigation.

8 4. This Complaint contains information necessary to support probable cause to  
9 believe that the criminal offenses described herein were committed by the defendant,  
10 **IRVING MAGALLAN ALVARADO**, and is not intended to include each and every fact  
11 and matter observed or known by me. Moreover, to the extent that this Complaint contains  
12 statements by witnesses, those statements are set forth only in part and in substance and are  
13 intended to accurately convey the information, but not to be verbatim recitations.

14 **FACTS ESTABLISHING PROBABLE CAUSE**

15 5. On March 1, 2023, National Park Service Rangers Daniel Bussell and Johan  
16 Urena were on routine patrol together within the boundaries of the Lake Mead National  
17 Recreation Area, Clark County, Nevada.

18 6. At approximately 3:15 PM, while at the Government Wash parking lot,  
19 Ranger Urena observed a red 2004 Ford F150 bearing Nevada registration 565U32,  
20 traveling from the dirt road heading out of Government Wash towards the paved parking  
21 lot. The vehicle slowed down as it came up to the patrol vehicles that were stopped on the  
22 paved parking lot and then accelerated, squealed the tires, drove towards the restroom in  
23 the Government Wash parking lot, and came to a stop. After a few minutes, the vehicle  
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1 accelerated at a high rate of speed on Government Wash Road towards Northshore Road.  
2 Rangers Urena and Bussell followed in a marked patrol vehicle.

3 7. Ranger Urena attempted to conduct a traffic stop using his emergency lights  
4 and sirens and made contact with the operator who was later identified as **MAGALLAN**  
5 **ALVARADO** by his Nevada driver's license.

6 8. During this face-to-face contact with **MAGALLAN ALVARADO**, Ranger  
7 Urena noticed **MAGALLAN ALVARADO**'s eyes were bloodshot and glassy. There was  
8 an odor of an alcoholic beverage emanating from within the vehicle. Ranger Urena  
9 observed in plain view an opened case of Natural Light beer cans between the front  
10 passenger's legs. When asked, **MAGALLAN ALVARADO** admitted consuming two  
11 beers, two hours ago. During the contact, **MAGALLAN ALVARADO** was  
12 argumentative and refused to follow instructions at times.

13 9. **MAGALLAN ALVARADO** refused to perform any standard field sobriety  
14 tests requested by the rangers. Based on Ranger Urena's training and experience,  
15 **MAGALLAN ALVARADO**'s physical and objective symptoms of intoxication, Ranger  
16 Urena formed the opinion that **MAGALLAN ALVARADO** had been operating a motor  
17 vehicle while under the influence of alcohol and placed **MAGALLAN ALVARADO**  
18 under arrest.

19 10. Ranger Urena observed three open cases of 12 oz. Natural Lights beer and  
20 one open case of 12 oz. Modelo Especial beer in the flat bed area of **MAGALLAN**  
21 **ALVARADO**'s vehicle. In the rear passenger compartment of **MAGALLAN**  
22 **ALVARADO**'s vehicle, Ranger Urena observed five open cans of Natural Light 12 oz.  
23 beers.  
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1           11.   **MAGALLAN ALVARADO** was transported to Henderson Detention  
2 Center ("HDC"). Upon arrival at the detention center, **MAGALLAN ALVARADO**  
3 began hitting the cage within the patrol vehicle with his shoulders. Due to his behavior, the  
4 ranger requested assistance and **MAGALLAN ALVARADO** was escorted inside by  
5 approximately seven HDC staff members.

6           12.   Ranger Bussell requested assistance from Las Vegas Metropolitan Police  
7 Department Officer Miguel Jahuey in obtaining a search warrant for a blood sample. The  
8 search warrant was signed by Las Vegas Justice of the Peace Judge Elana Graham. At 5:47  
9 PM, a Registered Nurse withdrew a blood sample from **MAGALLAN ALVARADO**.

10          13.   **MAGALLAN ALVARADO's** blood sample was analyzed by a Las Vegas  
11 Metropolitan Police Department Forensic Scientist, who determined it contained a  
12 concentration of ethanol of 0.218 g/ 100 mL +/- 0.008 g/ 100 mL of blood.

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**CONCLUSION**

14. Based upon the information set forth in this application, your Complainant respectfully submits that there is probable cause to believe that **IRVING MAGALLAN ALVARADO** violated Title 36, Code of Federal Regulations, Sections 4.32(a)(1)- Operating a Motor Vehicle while Under the Influence of Alcohol and Title 36, Code of Federal Regulations, Section 4.23(a)(2) - Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher, Title 36, Code of Federal Regulations, Section 2.32(a)(1) – Interfering with Agency Functions as described above.

  
CHRIS RAYNOLDS, Park Ranger  
National Park Service

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on

this 18 day of January, 2024.

  
HONORABLE BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE

